

**EXHIBIT “A”**



**pennsylvania**  
DEPARTMENT OF ENVIRONMENTAL  
PROTECTION

October 9, 2019

Island View Crossing, II, L.P.  
Kevin O'Halloran, Chapter 11 Bankruptcy Trustee  
c/o C. Davis  
P.O. Box 1218  
Largo, FL 33779

Re: Statewide Health and Site-Specific Standards Final Report and Cleanup Plan Approval  
Dial North Property B  
1414 Radcliff Street  
a.k.a. Former Dial North Property, Phase I of Property B,  
1600 Radcliff Street  
eFACTS PF ID No. 663705  
eFACTS Activity ID No. 33601  
Bristol Borough  
Bucks County

Dear Mr. O'Halloran:

The Department of Environmental Protection (DEP) reviewed the April 30, 2019 document titled "Final Report for Soil," May 24, 2019 document titled "Updated Pennsylvania Natural Diversity Inventory", August 21, 2019 document titled "Response to PADEP Letter of Technical Deficiency" which included a Cleanup Plan Addendum and a revised Post Remediation Care Plan received in an email dated September 23, 2019, (reports) for the property referenced above. The reports as amended were prepared by Penn E & R, Inc. and submitted to DEP in accordance with the Land Recycling and Environmental Remediation Standards Act (Act 2) and constitute a cleanup plan and final report as defined in Chapter 3 of Act 2.

DEP hereby approves the Cleanup Plan Addendum and Final Reports for the substances identified and remediated to an Act 2 standard within the site(s) specified. Chapter 5, Section 501 of Act 2, provides the liability protection where attainment of Act 2 cleanup standards is demonstrated. The cleanup liability protection provided by this chapter applies to the current and future owner or any other person who participated in the remediation; a person who develops or occupies the property; successor or assign of any person to whom liability protection applies; and a public utility to the extent the public utility performs activities on the identified property(ies).

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This project attained a residential, Statewide health standard for 2-methylnaphthalene, acetone, acenaphthene, acenaphthylene, anthracene, benzo(a)anthracene, benzo(ghi)perylene, benzo(b)fluoranthene, benzo(k)fluoranthene, di-n-butylphthalate, chrysene, chloroform, fluoranthene, fluorene, indeno(1,2,3-cd)pyrene, naphthalene, phenanthrene, pyrene, n-propylbenzene, n-butylbenzene, sec-butylbenzene, aluminum, barium, beryllium, cadmium, chromium, cobalt, copper, iron, manganese, mercury, nickel, silver, selenium, vanadium and zinc in soil and Site-specific standards for benzo(a)pyrene, benzo(b)fluoranthene, dibenzo(a,h)anthracene, chloroform, trichloroethene, arsenic antimony, cadmium and lead in soil.

The Uniform Environmental Covenants Act (Act 68 of 2007), Title 27, Pa. C.S. Chapter 65 (UECA) and accompanying regulations provide a standardized process for creating, documenting and assuring the enforceability of activity and use limitations on contaminated properties involving most engineering and institutional controls used to achieve Act 2 standards. Since the report utilizes activity and use limitations or will have post remedial care obligations to meet and/or attain the Site-specific standard, an environmental covenant is required to be submitted within 30 days of the date of this approval letter.

Please refer to the enclosed Standard Attachment for other DEP program requirements for considerations which may be applicable to the referenced site.

Thank you for your cooperation in working with DEP in the remediation of this site. If you have any questions or need further information regarding this matter, please contact Lauren Mapleton at lmapleton@pa.gov or by telephone at 484.250.5783.

Any person aggrieved by this action may appeal the action to the Environmental Hearing Board (Board), pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. § 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A. The Board's address is:

Environmental Hearing Board  
Rachel Carson State Office Building, Second Floor  
400 Market Street  
P.O. Box 8457  
Harrisburg, PA 17105-8457

TDD users may contact the Environmental Hearing Board through the Pennsylvania Relay Service, 800.654.5984.

Appeals must be filed with the Board within 30 days of receipt of notice of this action unless the appropriate statute provides a different time. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

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A Notice of Appeal form and the Board's rules of practice and procedure may be obtained online at <http://ehb.courtapps.com> or by contacting the Secretary to the Board at 717.787.3483. The Notice of Appeal form and the Board's rules are also available in braille and on audiotape from the Secretary to the Board.

IMPORTANT LEGAL RIGHTS ARE AT STAKE. YOU SHOULD SHOW THIS DOCUMENT TO A LAWYER AT ONCE. IF YOU CANNOT AFFORD A LAWYER, YOU MAY QUALIFY FOR FREE PRO BONO REPRESENTATION. CALL THE SECRETARY TO THE BOARD AT 717.787.3483 FOR MORE INFORMATION. YOU DO NOT NEED A LAWYER TO FILE A NOTICE OF APPEAL WITH THE BOARD.

IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST BE FILED WITH AND RECEIVED BY THE BOARD WITHIN 30 DAYS OF RECEIPT OF NOTICE OF THIS ACTION.

Sincerely,



Ragesh R. Patel  
Regional Manager  
Environmental Cleanup and Brownfields

Enclosure: Standard Attachment

cc: Mr. Lamont, P.G., Penn E&R  
Mr. Sauer, Island View Crossing II, L.P.  
Bucks County Conservation District  
Bucks County Health Department  
Bristol Borough  
Mr. Brown, P.G, DEP.  
Ms. Mapleton, DEP  
Ms. Bass, DEP  
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